

SENATE BILL 3042
By Cooper J

AN ACT relative to the organization and funding of state government and for that purpose, but without limitation, to provide for the reduction, reorganization, consolidation, and elimination of state departments and agencies; to transfer funds to the general fund from various statutory and administrative reserves and accounts; to direct or redirect various revenues and fees from statutorily or administratively designated purposes to the general fund; to implement transfers, reallocations, earmarks, or other redirection or reappropriation of funds provided for in the general appropriations act; and to repeal or amend various provisions of the Tennessee Code Annotated, Titles 1 through 71, as may be required to implement or effectuate the provisions of this act or the general appropriations act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 7, is repealed. It is the legislative intent to abolish the department of economic and community development effective July 1, 2002. The duties of the department related to current, outstanding obligations under the Tennessee industrial infrastructure program (TIIP); administration of the community development block grant program (CDBG); and the energy division as specified in 4-3-708, 4-3-709, 4-3-710, 4-3-711, 4-3-712, 4-3-713, and 4-3-714 are transferred to the department of finance and administration effective June 30, 2002.

SECTION 2. Tennessee Code Annotated, Title 4, Chapter 3, Part 22, is repealed. It is the legislative intent to abolish the department of tourist development effective July 1, 2002. The operation of welcome centers is transferred to the department of transportation, effective June 30, 2002.

SECTION 3. Tennessee Code Annotated, Section 54-4-103(a)(1), is amended by adding the following new sentences at the end thereof:

The amount of any distribution to local governments made pursuant to this section shall be limited to the amount distributed in the 2001 – 2002 fiscal year. Any funds which would have been distributed pursuant to this section in excess of those distributed in the 2001 – 2002 fiscal year shall be allocated to the state general fund.

SECTION 4. Tennessee Code Annotated, Section 54-4-203, is amended by adding the following new subsection:

(d) The amount of any distribution to local governments made pursuant to this section shall be limited to the amount distributed in the 2001 – 2002 fiscal year. Any funds which would have been distributed pursuant to this section in excess of those distributed in the 2001 – 2002 fiscal year shall be allocated to the state general fund.

SECTION 5. Tennessee Code Annotated, Section 57-4-306, is amended by adding the following new subdivision:

(4) The amount of any distribution to local governments made pursuant to this section shall be limited to the amount distributed in the 2001 – 2002 fiscal year. Any funds which would have been distributed pursuant to this section in excess of those distributed in the 2001 – 2002 fiscal year shall be allocated to the state general fund.

SECTION 6. Tennessee Code Annotated, Section 57-5-205, is amended by adding the following new subdivision:

(3) The amount of any distribution to local governments made pursuant to this section shall be limited to the amount distributed in the 2001 – 2002 fiscal year. Any

funds which would have been distributed pursuant to this section in excess of those distributed in the 2001 – 2002 fiscal year shall be allocated to the state general fund.

SECTION 7. Tennessee Code Annotated, Section 57-9-115, is amended by adding the following new subsection:

(h) The amount of any distribution to local governments made pursuant to this section shall be limited to the amount distributed in the 2001 – 2002 fiscal year. Any funds which would have been distributed pursuant to this section in excess of those distributed in the 2001 – 2002 fiscal year shall be allocated to the state general fund.

SECTION 8. Tennessee Code Annotated, Section 57-9-201, is amended by adding the following new subsection:

(g) The amount of any distribution to local governments made pursuant to this section shall be limited to the amount distributed in the 2001 – 2002 fiscal year. Any funds which would have been distributed pursuant to this section in excess of those distributed in the 2001 – 2002 fiscal year shall be allocated to the state general fund.

SECTION 9. Tennessee Code Annotated, Section 60-1-301, is amended by adding the following new subsection:

(d) The amount of any distribution to local governments made pursuant to this section shall be limited to the amount distributed in the 2001 – 2002 fiscal year. Any funds which would have been distributed pursuant to this section in excess of those distributed in the 2001 – 2002 fiscal year shall be allocated to the state general fund.

SECTION 10. Tennessee Code Annotated, Section 67-2-119, is amended by adding the following new subsection:

(e) The amount of any distribution to local governments made pursuant to this section shall be limited to the amount distributed in the 2001 – 2002 fiscal year. Any funds which would have been distributed pursuant to this section in excess of those distributed in the 2001 – 2002 fiscal year shall be allocated to the state general fund.

SECTION 11. Tennessee Code Annotated, Section 67-3-2001(b), is amended by adding the following new subdivision at the end thereof:

(6) The amount of any distribution to local governments made pursuant to this section shall be limited to the amount distributed in the 2001 – 2002 fiscal year. Any funds which would have been distributed pursuant to this section in excess of those distributed in the 2001 – 2002 fiscal year shall be allocated to the state general fund.

SECTION 12. Tennessee Code Annotated, Section 67-3-2001(f)(2), is amended by adding the following new subdivision at the end thereof:

(D) The amount of any distribution to local governments made pursuant to this section shall be limited to the amount distributed in the 2001 – 2002 fiscal year. Any funds which would have been distributed pursuant to this section in excess of those distributed in the 2001 – 2002 fiscal year shall be allocated to the state general fund.

SECTION 13. Tennessee Code Annotated, Section 67-3-2001(c)(2), is amended by adding the following new subdivision at the end thereof:

(D) The amount of any distribution to local governments made pursuant to this section shall be limited to the amount distributed in the 2001 – 2002 fiscal year. Any funds which would have been distributed pursuant to this section in excess of those distributed in the 2001 – 2002 fiscal year shall be allocated to the state general fund.

SECTION 14. Tennessee Code Annotated, Section 67-3-2001(i), is amended by adding the following new sentences at the end thereof:

The amount of any distribution to local governments made pursuant to this section shall be limited to the amount distributed in the 2001 – 2002 fiscal year. Any funds which would have been distributed pursuant to this section in excess of those distributed in the 2001 – 2002 fiscal year shall be allocated to the state general fund.

SECTION 15. Tennessee Code Annotated, Section 67-3-2005, is amended by adding the following new subsection at the end thereof:

(e) The amount of any distribution to local governments made pursuant to this section shall be limited to the amount distributed in the 2001 – 2002 fiscal year. Any funds which would have been distributed pursuant to this section in excess of those distributed in the 2001 – 2002 fiscal year shall be allocated to the state general fund.

SECTION 16. Tennessee Code Annotated, Section 67-3-2006, is amended by adding the following new subsection at the end thereof:

(c) The amount of any distribution to local governments made pursuant to this section shall be limited to the amount distributed in the 2001 – 2002 fiscal year. Any funds which would have been distributed pursuant to this section in excess of those distributed in the 2001 – 2002 fiscal year shall be allocated to the state general fund.

SECTION 17. Tennessee Code Annotated, Section 67-3-2008, is amended by adding the following new subsection at the end thereof:

(d) The amount of any distribution to local governments made pursuant to this section shall be limited to the amount distributed in the 2001 – 2002 fiscal year. Any funds which would have been distributed pursuant to this section in excess of those distributed in the 2001 – 2002 fiscal year shall be allocated to the state general fund.

SECTION 18. Tennessee Code Annotated, Section 67-4-409, is amended by deleting subsection (i) in its entirety, effective July 1, 2002. Any balance in the Local Parks Land Acquisition Fund on June 30, 2002, shall revert to the state general fund. One and three-quarters cents (1.75¢) of the tax levied pursuant to subsection (a) shall be credited to the state general fund.

SECTION 19. Tennessee Code Annotated, Section 67-4-409, is further amended by deleting subsection (j) in its entirety, effective July 1, 2002. Any balance in the State Lands Acquisition Fund on June 30, 2002, shall revert to the state general fund. One and one-half cents (1.5¢) of the tax levied pursuant to subsection (a) shall be credited to the state general fund.

SECTION 20. Tennessee Code Annotated, Section 67-4-2017(a), is amended by adding the following new subdivision at the end thereof:

(3) The amount of any distribution to local governments made pursuant to this section shall be limited to the amount distributed in the 2001 – 2002 fiscal year. Any funds which would have been distributed pursuant to this section in excess of those distributed in the 2001 – 2002 fiscal year shall be allocated to the state general fund.

SECTION 21. Tennessee Code Annotated, Section 67-6-103, is amended by adding the following new subsection at the end thereof:

(g) The amount of any distribution to local governments made pursuant to this section shall be limited to the amount distributed in the 2001 – 2002 fiscal year. Any funds which would have been distributed pursuant to this section in excess of those distributed in the 2001 – 2002 fiscal year shall be allocated to the state general fund.

SECTION 22. Tennessee Code Annotated, Section 67-9-101, is amended by adding the following new subsection at the end thereof:

(c) The amount of any distribution to local governments made pursuant to this section shall be limited to the amount distributed in the 2001 – 2002 fiscal year. Any funds which would have been distributed pursuant to this section in excess of those distributed in the 2001 – 2002 fiscal year shall be allocated to the state general fund.

SECTION 23. Tennessee Code Annotated, Section 67-9-102, is amended by adding the following new subsection at the end thereof:

(c) The amount of any distribution to local governments made pursuant to this section shall be limited to the amount distributed in the 2001 – 2002 fiscal year. Any funds which would have been distributed pursuant to this section in excess of those distributed in the 2001 – 2002 fiscal year shall be allocated to the state general fund.

SECTION 24. Tennessee Code Annotated, Section 71-5-106, is amended by adding the following new subsection:

(l) Notwithstanding any provision of this section to the contrary, effective January 1, 2003, only those persons designated as eligible for medical assistance under federal law, rule and regulation shall be eligible for medical assistance pursuant to this chapter.

SECTION 25. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 26. This act shall take effect upon becoming a law, the public welfare requiring it. If any section of this act contains a different effective date, that date shall be controlling, the public welfare requiring it.